

City Council  
Atlanta, Georgia

**10- 0 -0957**  
**Z-10-11**

Date Filed: 5-5-10

AN ORDINANCE  
BY ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **300 and 306 Ponce de Leon Avenue, N.E** be changed from the C-2 (Commercial Service) district to the MRC-2 (Mixed Residential Commercial) district, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 48, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

2-10-11

## **LEGAL DESCRIPTION**

### **300 Ponce de Leon Avenue**

BEGINNING at the northeast corner of Ponce de Leon Avenue and Argonne (formerly Bedford Place); and running thence east along the north side of Ponce de Leon Avenue, 40 feet; thence north parallel with Argonne Avenue, 120 feet; thence west parallel with Ponce de Leon Avenue, 40 feet to Argonne Avenue; thence south along the east side of Argonne Avenue, 120 feet to the POINT OF BEGINNING.

### **Argonne Avenue**

BEGINNING at a point on the east side of Argonne Avenue 120 feet north of the point of intersection of the north side of Ponce de Leon Avenue with the east side of Argonne Avenue, running thence north 00 degrees 04 minutes 52 second east a distance of 70 feet; running thence south 87 degrees 18 minutes 26 econds east a distance of 40.24 feet; running thence south 00 degrees 18 minutes 49 seconds west a distance of 70 feet; running thence north 87 degrees 17 minutes 31 seconds west a distance of 40 feet to the east side of Argonne Avenue and POINT OF BEGINNING.

### **306 Ponce de Leon Avenue**

BEGINNING at an iron pin on the northerly side of Ponce de Leon Avenue, which said point is 39.48 feet easterly as measured along the northerly side of Ponce de Leon Avenue and following the curvature thereof of the point of intersection of the easterly right of way of Argonne Avenue and the northerly right of way of Ponce de Leon Avenue and from said POINT OF BEGINNING running thence along the northerly right of way of Ponce de Leon Avenue and following the curvature thereof 60.35 feet to an iron pin; running thence north 00 degrees 79 minutes 27 seconds east 182.85 feet to an iron pin on the southern right of a ten foot alley; running thence north 89 degrees 20 minutes 16 seconds west 62.01 feet to an iron pin; running thence south 00 degrees 00 minutes 56 second east 179.91 feet to an iron pin on the northern right of way of Ponce de Leon Avenue and the POINT OF BEGINNING.